

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEONARD W. BLACK,

Petitioner,

v.

CASE NO. 2:16-CV-00609

CRIM. NO. 2:02-CR-187(1)

JUDGE JAMES L. GRAHAM

Magistrate Judge Elizabeth P. Deavers

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On December 19, 2016, the Magistrate Judge issued a *Report and Recommendation* recommending that Respondent's *Motion to Dismiss* (ECF No. 49) be granted and that the *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 45) be dismissed. (ECF No. 50.) Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* (ECF No. 50) is **ADOPTED** and **AFFIRMED**. Respondent's *Motion to Dismiss* (ECF No. 49) is **GRANTED**.

The *Motion to Vacate under 28 U.S.C. § 2255* (ECF No. 45) is hereby **DISMISSED**.

IT IS SO ORDERED.

Date: January 10, 2017

s/James L. Graham
JAMES L. GRAHAM
United States District Judge